

Caption in Compliance with D.N.J. LBR 9004-1(b)

WARD W. BENSON
Trial Attorney, Tax Division
U.S. Department of Justice
Post Office Box 227
Ben Franklin Station
Washington, D.C. 20044
Telephone: 202-514-9642
Email: ward.w.benson@usdoj.gov
Counsel for the United States of America

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY
(TRENTON)

In re:)	Case No. 20-bk-10332-MBK
)	Chapter 13
BARRY GOLUB,)	Judge Michael B. Kaplan
)	
Debtor.)	Hearing date: 3/11/21 at 10 AM
_____)	

UNITED STATES' STATEMENT IN SUPPORT OF DISMISSAL

The Court should dismiss this bankruptcy case. Debtor's counsel failed to comply with the Court's order directing him to file a plan and disclosure statement by February 8. Nor has he timely responded to the Court's order directing him to show cause why the case should not be dismissed for that failure. Instead, on February 28, he filed a disclosure statement and plan. (Dkt. No. 60-61). The latter used an out-of-date form with terms have not been permissible since the enactment of BAPCPA in 2005. Even worse, the vast majority of the fields were not even filled in. And, as noted in the United States' motion to compel discovery filed yesterday, he has not complied with his discovery obligations in the action *he brought* against the IRS to challenge his client's tax liabilities, which he has essentially admitted was the sole purpose of filing this bankruptcy case in the first place.

This bankruptcy case is purely an exercise in delaying the IRS's enforcement of claims the debtor cannot seriously contest. It should be brought to an end immediately. The United States therefore respectfully requests that the Court dismiss this bankruptcy case.

Date: March 8, 2021

Respectfully submitted,

/s/ Ward W. Benson
WARD W. BENSON
Trial Attorney, Tax Division
U.S. Department of Justice
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Ben Franklin Station
Washington, D.C. 20044
Telephone: 202-514-9642
Email: ward.w.benson@usdoj.gov

CERTIFICATE OF SERVICE

I certify that the foregoing STATEMENT was filed with the clerk of the court on March 8, 2021, using the CM/ECF system, which will send notification of such filing to all parties appearing in said system.

/s/ Ward W. Benson
WARD W. BENSON